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NO JS-6

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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 vs.

15 NEWPOINT FINANCIAL SERVICES,
INC.; JOHN FARAHI; GISSOU
16 RASTEGAR FARAHI; and ELAHEH
AMOUEI,

17 Defendants,

18 and

19 TRIPLE "J" PLUS, LLC; QUIFF
20 INVESTMENTS, LTD.; JUSTIN P.
FARAHI; and JOSHUA A. FARAHI,

21 Relief Defendants.
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Case No. CV 10-00124 DDP (JEMx)

**FINAL JUDGMENT OF
PERMANENT INJUNCTION AND
OTHER RELIEF AGAINST
DEFENDANT GISSOU RASTEGAR
FARAHI**

1 The Securities and Exchange Commission having filed a Complaint and
 2 Defendant Gissou Rastegar Farahi having entered a general appearance; consented
 3 to the Court's jurisdiction over her and the subject matter of this action; consented
 4 to entry of this Final Judgment without admitting or denying the allegations of the
 5 Complaint (except as to jurisdiction and except as otherwise provided herein in
 6 paragraph VI); waived findings of fact and conclusions of law; and waived any
 7 right to appeal from this Final Judgment:

8 **I.**

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant
 10 and Defendant's agents, servants, employees, attorneys, and all persons in active
 11 concert or participation with them who receive actual notice of this Final Judgment
 12 by personal service or otherwise are permanently restrained and enjoined from
 13 violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of
 14 1934 ("Exchange Act"), 15 U.S.C. § 78j(b), and Rule 10b-5 promulgated
 15 thereunder, 17 C.F.R. § 240.10b-5, by using any means or instrumentality of
 16 interstate commerce, or of the mails, or of any facility of any national securities
 17 exchange, in connection with the purchase or sale of any security:

- 18 (a) to employ any device, scheme, or artifice to defraud;
- 19 (b) to make any untrue statement of a material fact or to omit to
 20 state a material fact necessary in order to make the statements
 21 made, in light of the circumstances under which they were
 22 made, not misleading; or
- 23 (c) to engage in any act, practice, or course of business which
 24 operates or would operate as a fraud or deceit upon any person.

25 **II.**

26 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
 27 that Defendant and Defendant's agents, servants, employees, attorneys, and all
 28 persons in active concert or participation with them who receive actual notice of

1 this Final Judgment by personal service or otherwise are permanently restrained
2 and enjoined from violating Section 17(a) of the Securities Act of 1933
3 (“Securities Act”), 15 U.S.C. § 77q(a), in the offer or sale of any security by the
4 use of any means or instruments of transportation or communication in interstate
5 commerce or by the use of the mails, directly or indirectly:

- 6 (a) to employ any device, scheme, or artifice to defraud;
- 7 (b) to obtain money or property by means of any untrue statement
8 of a material fact or any omission of a material fact necessary in
9 order to make the statements made, in light of the circumstances
10 under which they were made, not misleading; or
- 11 (c) to engage in any transaction, practice, or course of business
12 which operates or would operate as a fraud or deceit upon a
13 purchaser.

14 **III.**

15 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
16 that Defendant and Defendant’s agents, servants, employees, attorneys, and all
17 persons in active concert or participation with them who receive actual notice of
18 this Final Judgment by personal service or otherwise are permanently restrained
19 and enjoined from violating Section 5 of the Securities Act, 15 U.S.C. § 77e, by,
20 directly or indirectly, in the absence of any applicable exemption:

- 21 (a) Unless a registration statement is in effect as to a security,
22 making use of any means or instruments of transportation or
23 communication in interstate commerce or of the mails to sell
24 such security through the use or medium of any prospectus or
25 otherwise;
- 26 (b) Unless a registration statement is in effect as to a security,
27 carrying or causing to be carried through the mails or in
28 interstate commerce, by any means or instruments of

1 transportation, any such security for the purpose of sale or for
2 delivery after sale; or

3 (c) Making use of any means or instruments of transportation or
4 communication in interstate commerce or of the mails to offer to
5 sell or offer to buy through the use or medium of any prospectus
6 or otherwise any security, unless a registration statement has
7 been filed with the Commission as to such security, or while the
8 registration statement is the subject of a refusal order or stop
9 order or (prior to the effective date of the registration statement)
10 any public proceeding or examination under Section 8 of the
11 Securities Act, 15 U.S.C. § 77h.

12 **IV.**

13 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED
14 that, upon motion of the Commission, the Court shall determine whether it is
15 appropriate to order disgorgement of ill-gotten gains and/or a civil penalty pursuant
16 to Section 20(d) of the Securities Act, 15 U.S.C. § 77t(d), and Section 21(d)(3) of
17 the Exchange Act, 15 U.S.C. § 78u(d)(3), and, if so, the amount(s) of the
18 disgorgement and/or civil penalty. If disgorgement is ordered, Defendant shall pay
19 prejudgment interest thereon, calculated from May 1, 2003, based on the rate of
20 interest used by the Internal Revenue Service for the underpayment of federal
21 income tax as set forth in 26 U.S.C. § 6621(a)(2). In connection with the
22 Commission's motion for disgorgement and/or civil penalties, and at any hearing
23 held on such a motion: (a) Defendant will be precluded from arguing that she did
24 not violate the federal securities laws as alleged in the Complaint; (b) Defendant
25 may not challenge the validity of the Consent or this Final Judgment; (c) solely for
26 the purposes of such motion, the allegations of the Complaint shall be accepted as
27 and deemed true by the Court; and (d) the Court may determine the issues raised in
28 the motion on the basis of affidavits, declarations, excerpts of sworn deposition or

1 investigative testimony, and documentary evidence, without regard to the standards
2 for summary judgment contained in Rule 56(c) of the Federal Rules of Civil
3 Procedure. In connection with the Commission's motion for disgorgement and/or
4 civil penalties, the parties may take discovery, including discovery from
5 appropriate non-parties.

6 **V.**

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
8 Consent is incorporated herein with the same force and effect as if fully set forth
9 herein, and that Defendant shall comply with all of the undertakings and
10 agreements set forth herein.

11 **VI.**

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, solely
13 for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy
14 Code, 11 U.S.C. §523, the allegations in the complaint are true and admitted by
15 Defendant, and further, any debt for disgorgement, prejudgment interest, civil
16 penalty or other amounts due by Defendant under this Final Judgment or any other
17 judgment, order, consent order, decree or settlement agreement entered in
18 connection with this proceeding, is a debt for the violation by Defendant of the
19 federal securities laws or any regulation or order issued under such laws, as set
20 forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).
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VII.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Judgment.

Dated : February 05, 2014

A handwritten signature in cursive script, reading "Dean D. Pregerson". The signature is written in a dark ink and is positioned above a horizontal line.

HONORABLE DEAN D. PREGERSON
UNITED STATES DISTRICT JUDGE